

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
July 24, 2000
6:30 P.M.
MINUTES

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, Jerrold Joseph, John Cahill, Gary McCririe, Bill Litogot and Ken Burchfield. Also present was Michael Archinal, Township Manager; Caryn Champine and Kelly Schuler from Langworthy, Strader, LeBlance & Associates, Inc.; and Melissa Talley from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
7:00 P.M.
MINUTES

The regular session of the planning Commission was called to order by Chairman Don Pobuda at 7:10 p.m.

The Pledge of Allegiance was recited.

Moved by Litogot, seconded by Joseph to approve the Agenda with the following change:

1. Four motions need to be added to Open Public Hearing #3
 - a. Rescind the denial of the Special Land Use Application
 - b. Rescind the denial of the Impact Assessment
 - c. Rescind the denial of the PUD Agreement Amendment
 - d. Rescind the denial of the Final PUD Site Plan

The motion carried unanimously.

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:12 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING # 1...Review of a site plan and environmental impact assessment for site improvements to the Genoa-Oceola wastewater treatment plant, located off Chilson Road, petitioned by the Genoa-Oceola Sewer Authority. (PC 00-27)

Planning Commission disposition of Genoa-Oceola petition

- A. Recommendation regarding impact assessment.
- B. Disposition of site plan.

Mr. Donald Lund, Sr. Vice President of Tetra Tech was present to represent the proposal. The proposed site plan is for an expansion of the Genoa-Oceola wastewater treatment facility on Chilson Road North of I-96. There are 100 acres that have been in use since 1986. It provides treatment for the Grand River corridor. It needs to be expanded in capacity as well as changing from groundwater to surface water discharge. It will expand the facility from 700,000 gallons per day to 1.2 million gallons per day. This would last for about six to seven years of growth.

Mr. Lund addressed the planner's concerns by reviewing his letter of July 24, 2000

1. **Principle Structure:** The colors of the buildings would be determined by Genoa-Oceola Sewer and Water Authority and then approved by Genoa Township. They are looking at natural colored buildings with green roofs. Commissioner Joseph stated the Planning Commission needs to see the proposed building materials. Commissioner McCririe stated they are proposing split-faced block with earth tone colors. We all know what that looks like. Commissioner Joseph feels we need to handle our own government in the same way we do other petitioners. Commissioner Cahill agrees. We need to treat everyone the same. After a brief discussion, it was decided this issue will be reserved for next weeks meeting so the petitioner can provide samples of the building and roof materials. Commissioner Litogot asked if the buildings will be seen from Chilson Road. Mr. Lund stated one of the buildings will be seen from Chilson Road. It is up on a hill.
2. **Lighting:** All lighting will be low intensity metal halide fixtures that are down directed and shielded. Commissioner McCririe asked if there will be only building-mounted lighting. Mr. Lund stated there may be some pole-mounted lighting near the buildings. Commissioner McCririe stated all lighting needs to be a shoebox fixture and the poles will not be higher than 10 or 12 feet.
3. **Parking:** The proposed parking of four parking spaces meets the Township standards.
4. **Access and Circulation:** The on-site truck circulation will remain as it currently is. Larger trucks will use the existing turn around circle on the southeast side of the site. Only pick-up type trucks will use the proposed roadway to the service building.

5. **Pedestrian Circulation:** A ramp will be provided between the parking lot and the sidewalk leading to the service buildings.
6. **Trash Removal:** There will be no change in the trash removal.

Chairman Pobuda asked Mr. Lund to describe the difference between groundwater and surface water discharge. Mr. Lund stated with groundwater discharge, the water is sent to a sand bed, treated, and then sent to the groundwater. With surface water discharge, because there are a lot of materials that need to be removed before the water is sent to the surface, there is a machine that is going to do this.

Ms. Champine reviewed her letter of July 20, 2000. There was one issue that was not addressed by the petitioner. The trash removal dumpster enclosure shall be made of concrete masonry block. The petitioner will comply with this request.

The call to the public was made with no response.

Mr. Archinal stated the petitioner shall provide signed and sealed drawings to the Township Board.

Commissioner McCririe listed the items that were addressed this evening:

1. The building materials shall be intricate colored block and tan in color.
2. The roof material shall be forest green.
3. The parking is satisfactory.
4. Lighting is to be a maximum of 15-foot tall poles with shoebox fixtures.
5. A ramp will be provided between the parking lot and the service buildings.
6. Signed and sealed drawings will be provided to the Township Board.

Moved, by Cahill, seconded by Joseph, to table this issue at the petitioner's request until the Monday, July 31, 2000 meeting. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 2... Review of a site plan application for Intech Industrial Park, 6 buildings on 10.5 acres, an industrial complex with a total building area of 61,193 sq. ft at the south west corner of Dorr Road and Sterling Drive, Section 15, petitioned by Mandell Bilovus Lenderman & Associates. (PC 00-17) Tabled from 5-8-00 meeting

Planning Commission disposition of Intech petition

- A. Recommendation regarding impact assessment.
- B. Disposition of site plan.

Mr. Steve Lenderman of MBLA was present to represent this proposal. He noted that the agenda should state that it is five buildings totaling 54,440 square feet. They have made the changes to Building A requested by the Planning

Commission. They have changed the building to 6,650 square feet with 23 parking spaces. All setback requirements have been met. This will be the only building on the site with a peaked roof. Mr. Lenderman also gave a brief overview of the remaining four buildings that have not changed. He stated they have not done the engineering because they did not know if their changes are acceptable to the Planning Commission. He would like a conditional approval tonight based on compliance with the Township's engineering requirements. Commissioner McCririe stated the Township does not do things that way. The petitioner will have to come before the Planning Commission again for final approval.

Commissioner Litogot asked if Buildings B through E all have the same building materials. Mr. Lenderman stated yes. He showed colored elevations.

Ms. Champine reviewed her letter of July 19, 2000.

1. All tenants require a special land use from the Township Board. MR. Lenderman stated this is not a problem.
2. A woodland inventory for trees being cleared as well as tree protection measures are required for the tree line on the south side of the property. Mr. Lenderman stated the trees will remain and they are proposing retaining walls and snow fencing.

Commissioner Cahill asked for justification of the two access points on Dorr Road. Mr. Lenderman stated they have two access points because of the grading of the site as well as traffic flow.

Commissioner Cahill expressed concern with the visibility from Dorr Road if the trees do not survive. Mr. Lenderman stated their engineer has assured him that there is no problem with this project and the preservation of those trees.

Commissioner Cahill stated the buildings look very nice and the project has improved from when it was first proposed.

Commissioner McCririe offered two suggestions due to the concern with the tree line. Can the building be moved 10 feet north and then encroach on the other setback? This would give the trees a much better chance of surviving. He also stated the petitioner can add an agreement with the developer that if, within three years, the trees die, the builder would have to replace these trees. All commissioners agreed with Commissioner McCririe's suggestions.

3. Curb and gutters are required on the private roads. The petitioner will comply.
4. Complete building elevation drawings for Building A are required. The petitioner will comply.
5. The screening of the rooftop equipment needs to be added to the plan. The petitioner will comply.

6. The 400-watt bulbs are too intense and should be reduced to 250 watts. The petitioner will comply and therefore, a photometric grid will not be required.
7. The main sign detail needs to be submitted at the next Planning Commission meeting. Sign details need to be approved as each tenant moves in.
8. The impact assessment must be revised to show Building A and the revised 10-foot setback and submitted for approval.

Ms. Talley stated that the petitioner has met all of the concerns in her letter of May 2, 2000.

Chairman Pobuda stated the Planning Commission is generally in favor of the plan, but the petitioner needs to get all issues met with the Township Engineer.

The petitioner reiterated that the 50-foot private road was approved. Ms. Talley stated it is possible for the Township Engineer to get at all of their equipment with the road being 50 feet wide. All commissioners are satisfied.

The call to the public was made with no response.

Mr. Archinal suggested approving the preliminary site plan tonight. Ms. Champine feels comfortable doing this. Ms. Tally does not have a problem with approving the preliminary site plan as long as they have met the engineer's concerns. She feels the draining and grading will affect this site the most. Commissioner Litogot would like to move this project along. Commissioner McCririe suggested recommending preliminary approval noting the petitioner does not have the endorsement of the engineer. Commissioners Burchfield, Joseph and Cahill feel this item should be tabled this evening. Commissioner McCririe stated he is trying to move this along so the petitioner does not have to come before the Planning Commission two more times.

Mr. Archinal asked what variances will the petitioner have to apply for if the building is moved up ten feet. Ms. Champine does not know at this point. They have some concerns regarding the turning radius as well as the drainage area if the building, sidewalk, and parking lot are moved. There was a brief discussion and it was decided the Planning Commission would make a recommendation to the ZBA for the variances so as not to hold up the petitioner even longer.

Moved by Litogot, seconded by Burchfield, to recommend to the Township Zoning Board of Appeals approval of a variance to reduce the road right of way on the north side of Building E by 10 feet. **The motion carried unanimously.**

Moved by McCririe, seconded by Litogot, to recommend to the Township Board preliminary approval of the impact assessment for Intech Industrial Park, five

buildings on 10.5 acres, an industrial complex with a total building area of 61,193 sq. ft at the south west corner of Dorr Road and Sterling Drive, Section 15, petitioned by Mandell Bilovus Lenderman & Associates dated Revision April 25, 2000 with the following conditions:

1. Changing the total square footage of the project to 54,440 square feet.
2. Building A will be 6,650 square feet.
3. There shall be no storage or handling of hazardous materials at this site.
4. Adding to the impact assessment every means necessary will be made to preserve the existing tree line on the south side of the site.

The motion failed. (Joseph – N; Cahill – Y; Burchfield – N; Litogot – Y; McCririe – Y; Pobuda – N).

Moved by McCririe, seconded by Litogot, to recommend to the Township Board preliminary approval of the site plan for Intech Industrial Park, 6 buildings on 10.5 acres, an industrial complex with a total building area of 61,193 sq. ft at the south west corner of Dorr Road and Sterling Drive, Section 15, petitioned by Mandell Bilovus Lenderman & Associates dated Revision April 25, 2000 with the following conditions:

1. Township Zoning Board of Appeals approval of the variance as recommended by motion this evening.
2. Township Board approval of the Preliminary Impact Assessment dated April 25, 2000 as recommended by motion this evening.
3. This recommendation, in no way, addressed any engineering concerns and all said concerns shall be handled at the second step of the condominium process
4. The petitioner shall relocate building E ten feet to the north in an attempt to preserve the tree line on the south side of the parcel.
5. The petitioner shall outline all measures being taken to preserve such tree line and provide a guarantee to the Township for three years to replace any vegetation on the south side that dies in the future satisfactory to the Township Planner.
6. The second access site on the south side of the parcel is acceptable as shown, but shall be moved ten feet to the north.
7. All roads and parking areas shall be curbed and guttered.
8. Building materials and colors presented this evening are acceptable.
9. All rooftop equipment shall be screened from view from all roadways.
10. All lighting will be a maximum of 250 watts.
11. The square footage of all of the buildings combined shall be no more than 54,440 feet.

The motion failed. (Joseph – N; Cahill – Y; Burchfield – N; Litogot – Y; McCririe – Y; Pobuda – N).

Moved by McCririe, seconded by Litogot to table this issue at the petitioner's request. **The motion carried unanimously.**

Chairman Pobuda called a break from 8:40 – 8:45.

OPEN PUBLIC HEARING # 3...Review of a site plan application for a 3,770 square foot Steak 'N Shake restaurant in Livingston Commons, Lot 1, petitioned by Steak 'N Shake, Inc. (PC 00-18) ***Tabled from 5-8-00 meeting***
Planning Commission disposition of Steak 'N Shake petition

- A. Recommendation regarding impact assessment.
- B. Disposition of site plan.

Mr. Bo Gunlock of RG Properties was there to represent this project. Mr. Gunlock reviewed the previous developments on this PUD. He would like to focus on the setbacks and building architectural issues this evening. He feels they are being restricted in regard to setbacks because they installed the roadway so it would line up with the Meijer entrance so a traffic signal could be installed. They are seeking a two-foot variance and an eight-foot variance due to the curve in the road that services this project. He hopes they can give the Planning Commission enough reasons to approve this project. Steak 'N Shake has made major changes to their building based on the requests of the Township. He stated they had originally agreed to one drive-thru restaurant on this PUD, but this site does not allow for any other type of use.

Chairman Pobuda reiterated the fact that the Planning Commission created the 143-foot lot in order to have the intersection line up to the Meijer entrance. He also stated the builder has been very good to work with.

Mr. Harry Meshberger of Steak 'N Shake of Indianapolis, IN reviewed the changes they have made. They moved the building nine feet forward to eliminate front parking spaces and increased that setback. He feels this revision is significant.

They enhanced the landscaping on the west side of the site. They have added nine more trees; for a total of 15 trees and 40 shrubs.

They have changed the color of the brick. He showed a comparison between the old brick and the new brick. The Planning Commission felt the old brick was too white. The new proposed brick is less white. He showed a picture of the Kentucky Fried Chicken restaurant and the new proposed brick is very similar in color.

He stated Steak 'N Shake is not a fast-food restaurant; it is a casual dining atmosphere. He showed comparisons between Steak 'N Shake and fast-food restaurants. For example, at Steak 'N Shake, your food is cooked after you order it and it is served on plates and not in Styrofoam or cardboard.

He stated this restaurant will be very close to the regional headquarters, which is located on Grand River in Howell. This will be used for special promotions, training, etc. It will be a flagship for the local market.

Mr. Steve D'Anna and Mr. Jay Kammeyer of URS Greiner Woodward Clyde discussed the architecture of the building. They have proposed to break up the awnings around the building. They will not be backlit per the Township ordinance. They feel they need to have some corporate identity with their building.

The sign is 45 square feet, which meets the Township ordinance. They are proposing a 32 square foot sign for the rear of the building.

Commissioner Cahill has a very serious concern with the striped awning and the brick color.

Commissioner Joseph feels fine with the setbacks, but would like to see the building make less of an impact and be more like the buildings in the area.

Commissioner Burchfield agreed with Cahill and Joseph. He sees how this particular lot has caused problems for the owner with regard to setback. He is fine with the setback variance requests.

Commissioner McCririe feels the picture of the new brick is an earth tone. He also agrees that there are other buildings in the area that have their own trademarks. He feels that when the project is complete it is going to be nice. There will be a lot of landscaping and the focus will not be so much on the awning or the building.

Commissioner Litogot does not want another sign on the rear of the building. He asked how the awning will be lit. The petitioner stated it will not be continually lit because it will be lit from the top of the awning.

Chairman Pobuda asked the petition to describe the difference between a corporate store and private ownership. The petitioner stated corporate store will follow what the corporation dictates in terms of cleanliness, landscaping, upkeep, personnel, etc. Franchise stores can be a little more independent and are sometimes hard to control.

Mr. Steve Ross, District Manager of Operations of the Michigan Division stated Steak N Shake takes great pride in their stores. His job is to make sure stores are running to corporate standards in regard to cleanliness, quality, service, etc. Steak N Shake also takes an active role in the community, such as sponsoring sports teams, etc. They have 16 stores in Michigan.

Mr. Gunlock reiterated how the awning is part of the Steak N Shake sign, just like the Colonel is part of the KFC sign.

Ms. Caryn Champine reviewed her letter of July 19, 2000.

1. The Planning Commission must rescind their recommendation for denial of the SLU application, the impact assessment, the PUD agreement amendment, and the final PUD site plan.
2. The building does not meet the 50-foot setback requirements on the western lot line. All commissioners will approve the setback variance due to the site restrictions if the materials are acceptable.
3. The building materials and colors need to be approved by the Planning Commission. Commissioners Litogot, Burchfield and McCririe feel the materials are satisfactory. Commissioner Joseph does not approve of the proposed materials. He feels the corporate image can be shown through the sign. Commissioner Cahill agrees with Joseph. He has a strong problem with the awning.
4. The awning may not be internally lit and may not be striped. Commissioner Burchfield feels the modification is acceptable. Commissioner Joseph does not like the awning. Commissioner Cahill feels it looks horrible and garish around the entire building and does not feel it goes with the rest of the development. He feels it should be broken up much more. He feels it is an eyesore. There was a discussion regarding the awning. The petitioner suggested deleting the awning on the back half of each side of the awning. He could not commit to that tonight because he would have to go back to the corporate headquarters and receive approval. Commissioner Cahill feels the awning should be associated with the windows, like Applebee's. All other commissioners agree with the petitioner's proposal.

Commissioner Litogot asked about the red metal past the drive through window. They are shutters. The kitchen equipment is behind there.

5. The lighting intensity levels at the southern entrance need to be reduced. The petitioner will delete the pole light in the back of the building.
6. The waste disposal enclosure needs to be the same materials as the building. The petitioner will comply.
7. The Impact Assessment needs to be submitted with the final package.

Ms. Melissa Talley reviewed her letter of July 20, 2000.

1. The petitioner has addressed most of her issues.
2. She recommends the petitioner install a "Do Not Enter" sign on the east side of the site.
3. The REU's have been calculated at ten. The costs for water and sewer are \$3,000 and \$3,500 respectively per REU.

The call to the public was made with no response.

Mr. Archinal stated the petitioner has agreed to install a sidewalk in front of the Prairie House Restaurant.

Moved by Burchfield, seconded by Litogot to rescind the previous recommendation to deny the SUP application, the impact assessment, the PUD agreement amendment, and the final PUD site plan for the purpose of considering the requested site plan as presented by the petitioner this evening. **The motion carried (Litogot – Y; Burchfield – Y; McCririe – Y; Joseph – N; Cahill – N; Pobuda – Y).**

Moved by McCririe, seconded by Litogot, to recommend to the Township Board approval of the SUP for a 3,770 square foot Steak 'N Shake restaurant in Livingston Commons, Lot 1, petitioned by Steak 'N Shake, Inc. (PC 00-18) with the following conditions:

1. Township Board approval of the Impact Assessment
2. Township Board approval of the PUD revision
3. Township Board approval of the Site Plan

The motion carried (Litogot – Y; Burchfield – Y; McCririe – Y; Joseph – N; Cahill – N; Pobuda – Y).

Moved by McCririe, seconded by Litogot, to recommend to the Township Board approval of the Impact Assessment for a 3,770 square foot Steak 'N Shake restaurant in Livingston Commons, Lot 1, petitioned by Steak 'N Shake, Inc. (PC 00-18) with the following conditions:

1. Township Board approval of the SUP as recommended by motion this evening.
2. Hours of operation shall be added to include 24 hours per day.
3. Hours of delivery are approximately 2 a.m. to 6 a.m.
4. Dust control measures for construction as contained in the new zoning ordinance shall be contained therein.

The motion carried (Litogot – Y; Burchfield – Y; McCririe – Y; Joseph – N; Cahill – N; Pobuda – Y).

Moved by McCririe, seconded by Litogot, to recommend to the Township Board approval of the amended PUD agreement between RG Properties and the Township as cited in the exhibit provided July 6, 2000 by the petitioner. **The motion carried (Litogot – Y; Burchfield – Y; McCririe – Y; Joseph – N; Cahill – N; Pobuda – Y).**

Moved by McCririe, seconded by Litogot, to recommend to the Township Board approval of the modified PUD site plan with the following conditions:

1. The landscaping plan shall be that which is labeled L1.1 dated July 24, 2000 as provided this evening.
2. Township Board approval of the SUP as recommended by motion this evening.

3. Township Board approval of the Impact Assessment as modified and recommended by motion this evening.
4. Township Board approval of the PUD amended as modified and recommended by motion this evening.
5. The setbacks contained within the amended to the PUD shall be granted.
6. The canopies on the building shall be as follows:
 - a. Black and White stripped around continually across the Grand River front.
 - b. On the east elevation along the side up to the drive-thru window.
 - c. On the west elevation n the front row of windows plus another awning on the other two windows as depicted in the picture marked Exhibit 1 dated July 24, 2000, which shall be part of the submittal to the Township Board.
7. Colors and materials presented this evening are acceptable and shall be presented to the Township Board and become the property of the Township.
8. The light pole at the south entrance shall be deleted.
9. The dumpster enclosure shall match the materials of the building.
10. The "One Way" sign on the northeast corner shall be replaced with a "Do Not Enter" sign.
11. The REU calculations are tentatively set at ten and shall be \$3,500 for sewer and \$3,000 for water, subject to final review and audit by the Township staff and engineer.
12. If the petitioner chooses to use a water softener, the discharge cannot be connected to the sanitary sewer and a potassium based regenerate should be used.
13. The petitioner shall provide landscape screening for the electric box on the rear of the building prior to submission to the Township Board.
14. The petitioner agrees, with the satisfaction easement as to be secured by the Township, they shall install an eight-foot-wide asphalt sidewalk in front of the Prairie House Restaurant within 60 days of the start of construction. **The motion carried (Litogot – Y; Burchfield – Y; McCririe – Y; Joseph – N; Cahill – N; Pobuda – Y).**

Administrative Business

Moved by Joseph, seconded by Litogot to approve the minutes of July 10, 2000 as submitted.

Chairman Pobuda stated the Planning Commission should have known that there were no engineering plans for the Intech Industrial Park. Ms. Tally stated she had notified the petitioner three times. Mr. Archinal stated it is the discretion of the Planning Commission to table these items if the packets are not complete. Commissioner McCririe feels the Planning Commission handled that petitioner

correctly this evening. There was a discussion as to what the Planning Commission is here to do. It was all agreed that the Planning Commission should help the petitioner along the process. Commissioner Litogot stated the Planning Commission needs to be very consistent. He added that the Planning Commission is always fair and we listen to everyone. Commissioner Cahill suggested at the work session going through each item and see if it is in order and if it isn't, the Planning Commission notify the petitioner that we will discuss the item or items this evening but we will not be acting on them.

Commissioner Burchfield expressed his regret that the joint meeting of the Zoning Board of Appeals, the Township Board, and the Planning Commission scheduled for Monday, July 31, 2000 was being cancelled in order to hold a special meeting of the Planning Commission for the auto mall petition.

The meeting was adjourned at 10:30 p.m.

Submitted by: Patty Thomas, Recording Secretary

Signed by: Barbara Figurski, Secretary